

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

DARREN M. DUMONT,)	
)	
)	
Plaintiff)	
)	
v.)	CIVIL ACTION
)	NO. 04-12307DPW
)	
UNITED STATES OF AMERICA,)	
)	
Defendant)	

JOINT STATUS REPORT

The Court's Scheduling Order dated April 15, 2005 set this non-jury maritime personal injury action for a Status Conference at 2:30 p.m. on January 26, 2006. The parties submit this Joint Status Report to the Court in advance of the conference.

The parties have completed discovery in this matter, which involves a claim by plaintiff Darren Dumont that he suffered a physical injury on December 30, 2002 while serving as Second Mate on defendant's vessel USNS BOWDITCH, a civilian-operated research vessel owned by the United States. Two potential witnesses whose testimony the defendant may offer at trial are the vessel's Master and Chief Mate at the time of the alleged injury, Captain Jerome Peschka and Chief Mate Robert Mattsen. Messrs. Peschka and Mattsen are serving at sea presently, and Mr. Mattsen resides in the Philippines when he is not at sea. The defendant believes that both men will be returning to the United States (not to Massachusetts) within the next three or four months, however, and defendant's counsel is endeavoring to arrange for the parties to conduct their depositions by telephone for use at trial in lieu of their live testimony.

One other deposition that the parties may conduct in lieu of having the witness testify at trial is that of the plaintiff's treating physician, who lives and works in Maine. The parties are presently exploring the possibility of avoiding the need for the doctor's testimony by using medical records only, but that possibility remains under review at present.

PLAINTIFF DARREN DUMONT
By his attorneys,

DEFENDANT UNITED STATES
By its attorneys,

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Dated: January 12, 2006

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on January 12, 2006.

/s/ James B. Re
James B. Re